

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:12CR52-LG-RHW-3

LARRY FORT BENNETT, JR.

**ORDER DENYING DEFENDANT'S MOTIONS TO
APPOINT COUNSEL AND FOR TRANSCRIPTS**

BEFORE THE COURT are two motions filed by the defendant in connection with his recent Notice of Appeal: the [661] Motion to Appoint Counsel and [662] Motion for Transcripts. The defendant requests an attorney be appointed to pursue an appeal of his April 1, 2014, Judgment of 235 months imprisonment for violation of 21 U.S.C. §§ 846 and 841(a)(1). (*See* Judgment, ECF No. 543). He asserts he will need the transcripts to prosecute the appeal. Federal Rule of Appellate Procedure 4 requires that a defendant's Notice of Appeal be filed within fourteen days of entry of the judgment or order being appealed. Fed. R. App. P. 4(b)(1)(A). The defendant may request an extension of this time period, but the district court may not grant any extension of more than thirty days beyond the fourteen day period. Fed. R. App. P. 4(b)(4). Because the defendant's attempted appeal is untimely by more than three years, the Court will deny the motions for transcripts and appointment of an attorney.

IT IS THEREFORE ORDERED AND ADJUDGED that the defendant's [661] Motion to Appoint Counsel and [662] Motion for Transcripts are **DENIED**.

SO ORDERED AND ADJUDGED this the 12th day of September, 2017.

s/ Louis Guirola, Jr.
LOUIS GUIROLA, JR.
CHIEF U.S. DISTRICT JUDGE